

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED

MAY 14 2015

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA

v.

CRIMINAL NO. H-15-203-S

JOSE MANUEL SALDIVAR-FARIAS

aka "BORRADO"

aka "Z-31"

aka "CARLOS CRUZ-JIMENEZ"

JUAN PEDRO SALDIVAR-FARIAS

aka "FLACO"

aka "OREJON"

aka "Z-27"

OSIEL HERNANDEZ-MARTINEZ

ERNESTO MICHEL VARGAS-BALDERAMA

aka "NETO"

EDGAR FILLBERTO CASTILLO-VARGAS

aka "BETO"

MAURO ANGEL MARTINEZ

MARCO ANTONIO MARTINEZ

MONCADA REYES

FRANCISCO JAVIER CHAPA

aka "KIKO"

LEO RODRIGUEZ

PEDRO PEREZ-OCAMPO

aka "FLACO"

ROLANDO RIVERA-RIVERA

aka "CALAVERA"

aka "LA KALAKA"

WILLIAM MOISES PARK

aka "WILLIE"

HENRY GONZALEZ

JESUS AGUSTIN ARIAS-CERDA

aka "EL MOCHO"

JOEL HUGO ROBLES-PEREZ

aka "EL BURRO"

ESUTOLIO GONZALEZ

aka "TOLO"

SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT ONE

(Conspiracy to Import a Controlled Substance)

Between on or about January 10, 2009 and continuing up to the date of the Indictment, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, **Defendants,**

**JOSE MANUEL SALDIVAR-FARIAS,
aka "BORRADO"**

aka "Z-31"

aka "CARLOS CRUZ-JIMENEZ"

JUAN PEDRO SALDIVAR-FARIAS,

aka "FLACO"

aka "OREJON"

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OSIEL HERNANDEZ-MARTINEZ,

ERNESTO MICHEL VARGAS-BALDERAMA,

aka "NETO"

EDGAR FILLBERTO CASTILLO-VARGAS,

aka "BETO"

MAURO ANGEL MARTINEZ,

MARCO ANTONIO MARTINEZ,

MONCADA REYES,

LEO RODRIGUEZ,

FRANCISCO JAVIER CHAPA,

aka "KIKO"

PEDRO PEREZ-OCAMPO,

aka "FLACO"

ROLANDO RIVERA-RIVERA,

aka "CALAVERA"

aka "LA KALAKA"

WILLIAM MOISES PARK,

aka "WILLIE"

HENRY GONZALEZ,

JESUS AGUSTIN ARIAS-CERDA,

aka "EL MOCHO"

JOEL HUGO ROBLES-PEREZ,

aka "EL BURRO"

**ESUTOLIO GONZALEZ,
aka "TOLO"**

did knowingly and intentionally conspire and agree with each other and with other persons known and unknown to the Grand Jurors to import, from Mexico into the United States, a controlled substance. All the above-named defendants conspired to import, from Mexico into the United States, 1,000 kilograms or more of a mixture or substance a containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 963, 952(a), 960(a)(1) and (b)(1).

COUNT TWO

(Conspiracy to Possess With Intent to Distribute Controlled Substance)

Between on or about January 10, 2009 and continuing up to the date of the Indictment, in
the Southern District of Texas and elsewhere within the jurisdiction of the Court, **Defendants,**

**JOSE MANUEL SALDIVAR-FARIAS,
aka "BORRADO"
aka "Z-31"**

**aka "CARLOS CRUZ-JIMENEZ"
JUAN PEDRO SALDIVAR-FARIAS,
aka "FLACO"
aka "OREJON"
aka "Z-27"**

**OSIEL HERNANDEZ-MARTINEZ,
ERNESTO MICHEL VARGAS-BALDERAMA,
aka "NETO"
EDGAR FILLBERTO CASTILLO-VARGAS,
aka "BETO"**

**MAURO ANGEL MARTINEZ,
MARCO ANTONIO MARTINEZ,
MONCADA REYES,
LEO RODRIGUEZ,
FRANCISCO JAVIER CHAPA,
aka "KIKO"**

**PEDRO PEREZ-OCAMPO,
aka "FLACO"
ROLANDO RIVERA-RIVERA,
aka "CALAVERA"
aka "LA KALAKA"**

**WILLIAM MOISES PARK
aka "WILLIE"**

**HENRY GONZALEZ,
JESUS AGUSTIN ARIAS-CERDA,
aka "EL MOCHO"**

**JOEL HUGO ROBLES-PEREZ,
aka "EL BURRO"
ESUTOLIO GONZALEZ,
aka "TOLO"**

did knowingly and intentionally conspire and agree with each other and with other persons known

and unknown to the Grand Jurors to possess with intent to distribute a controlled substance. All the above-named defendants conspired to possess with intent to distribute 1,000 kilograms or more of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 846, 841(a)(1) and 841(b)(1)(A).

COUNT THREE

(Conspiracy to Import a Controlled Substance)

Between on or about January 10, 2009 and continuing up to the date of the Indictment, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, **Defendants,**

**JOSE MANUEL SALDIVAR-FARIAS,
aka "BORRADO"
aka "Z-31"
aka "CARLOS CRUZ-JIMENEZ"
JUAN PEDRO SALDIVAR-FARIAS,
aka "FLACO"
aka "OREJON"
aka "Z-27"
OSIEL HERNANDEZ-MARTINEZ,
JESUS AGUSTIN ARIAS-CERDA,
aka "EL MOCHO"
JOEL HUGO ROBLES-PEREZ,
aka "EL BURRO"**

did knowingly and intentionally conspire and agree with each other and with other persons known and unknown to the Grand Jurors to import, from Mexico into the United States, a controlled substance. All the above-named defendants conspired to import, from Mexico into the United States, 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 963, 952(a), 960(a)(1) and (b)(1).

COUNT FOUR

(Conspiracy to Possess With Intent to Distribute Controlled Substance)

Between on or about January 10, 2009 and continuing up to the date of the Indictment, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, **Defendants,**

**JOSE MANUEL SALDIVAR-FARIAS,
aka "BORRADO"
aka "Z-31"
aka "CARLOS CRUZ-JIMENEZ"
JUAN PEDRO SALDIVAR-FARIAS,
aka "FLACO"
aka "OREJON"
aka "Z-27"
OSIEL HERNANDEZ-MARTINEZ,
JESUS AGUSTIN ARIAS-CERDA,
aka "EL MOCHO"
JOEL HUGO ROBLES-PEREZ
aka "EL BURRO"**

did knowingly and intentionally conspire and agree with each other and with other persons known and unknown to the Grand Jurors to possess with intent to distribute a controlled substance. All the above-named defendants conspired to possess with intent to distribute 5 kilograms or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 846, 841(a)(1) and 841(b)(1)(A).

COUNT FIVE

(Possession With Intent to Distribute Controlled Substance)

On or about October 16, 2012, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, **Defendants,**

**ERNESTO MICHEL VARGAS-BALDERAMA,
aka "NETO"
EDGAR FILLBERTO CASTILLO-VARGAS,
aka "BETO,"
MAURO ANGEL MARTINEZ,
MARCO ANTONIO MARTINEZ,
LEO RODRIGUEZ,
ESUTOLIO GONZALEZ
aka "TOLO"**

did knowingly and intentionally possess with intent to distribute a controlled substance. This offense involved a quantity of at least 100 kilograms, that is approximately 513 kilograms, of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, Section 2.

COUNT SIX

(Possession With Intent to Distribute Controlled Substance)

On or about November 6, 2012, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, **Defendants,**

**ERNESTO MICHEL VARGAS-BALDERAMA,
aka "NETO"
EDGAR FILLBERTO CASTILLO-VARGAS,
aka "BETO,"
LEO RODRIGUEZ,
FRANCISCO JAVIER CHAPA,
aka "KIKO"
MONCADA REYES,
ESUTOLIO GONZALEZ
aka "TOLO"**

did knowingly and intentionally possess with intent to distribute a controlled substance. This offense involved a quantity of at least 100 kilograms, that is approximately 266 kilograms, of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, Section 2.

COUNT SEVEN

On or about November 6, 2012, in the Southern District of Texas and elsewhere within the jurisdiction of the court, the defendant,

**ERNESTO MICHEL VARGAS-BALDERAMA,
aka “NETO”**

an alien who previously had been denied admission, excluded, deported, and removed from the United States, knowingly and unlawfully was present in the United States, Texas, without having obtained consent before March 2003, from the Attorney General of the United States to reapply for admission into the United States; and without having obtained corresponding consent after February 2003, from the Secretary of the Department of Homeland Security pursuant to 6 U.S.C. §§ 202(3) and (4) and 6 U.S.C. § 557.

In violation of Title 8, United States Code, Sections 1326(a) and (b).

COUNT EIGHT

(Possession With Intent to Distribute Controlled Substance)

On or about July 8, 2014, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, the **Defendant**,

LEO RODRIGUEZ,

did knowingly and intentionally possess with intent to distribute a controlled substance. This offense involved a quantity of at least 100 kilograms, that is approximately 149 kilograms, of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, Section 2.

COUNT NINE

(Possession With Intent to Distribute Controlled Substance)

On or about November 19, 2014, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, the **Defendant**,

OSIEL HERNANDEZ-MARTINEZ,

did knowingly and intentionally possess with intent to distribute a controlled substance. This offense involved a quantity of at least 100 kilograms, that is approximately 231 kilograms, of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, Section 2.

COUNT TEN

(Possession With Intent to Distribute Controlled Substance)

On or about February 5, 2015, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, **Defendants,**

**ERNESTO MICHEL VARGAS-BALDERAMA,
aka "NETO"
EDGAR FILLBERTO CASTILLO-VARGAS,
aka "BETO"
ROLANDO RIVERA-RIVERA,
aka "CALAVERA"
aka "LA KALAKA"
WILLIAM MOISES PARK,
aka "WILLIE"
HENRY GONZALEZ,**

did knowingly and intentionally possess with intent to distribute a controlled substance. This offense involved a quantity of at least 100 kilograms, that is approximately 231 kilograms, of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, Section 2.

COUNT ELEVEN

(Possession With Intent to Distribute Controlled Substance)

On or about February 27, 2015, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, the **Defendant**,

**PEDRO PEREZ-OCAMPO,
aka "FLACO"**

did knowingly and intentionally possess with intent to distribute a controlled substance. This offense involved a quantity of at least 100 kilograms, that is approximately 290 kilograms, of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), and Title 18, United States Code, Section 2.

COUNT TWELVE

(False Statement to Government Agent)

On or about March 13, 2015 and continuing up to the date of the Indictment, in the Southern District of Texas and elsewhere within the jurisdiction of the Court, **Defendant,**

**JOSE MANUEL SALDIVAR-FARIAS,
aka "BORRADO"
aka "Z-31"
aka "CARLOS CRUZ-JIMENEZ"**

in a manner within the jurisdiction of the executive branch of the Government of the United States, that is the Federal Bureau of Investigations (FBI), did knowingly and willfully make a false, fraudulent, and fictitious material statement and representation, that is, when asked by Special Agents of the FBI what his name was, the defendant stated Carlos Cruz-Jimenez, a statement he knew to be false.

In violation of Title 18, United States Code, Section 1001 (a)(2).

NOTICE OF CRIMINAL FORFEITURE

(21 U.S.C. § 853)

Pursuant to Title 21, United States Code, Section 853(a), the United States gives notice to
Defendants,

JOSE MANUEL SALDIVAR-FARIAS,

aka "BORRADO"

aka "Z-31"

aka "CARLOS CRUZ-JIMENEZ"

JUAN PEDRO SALDIVAR-FARIAS,

aka "FLACO"

aka "OREJON"

aka "Z-27"

OSIEL HERNANDEZ-MARTINEZ,

ERNESTO MICHEL VARGAS-BALDERAMA,

aka "NETO"

EDGAR FILLBERTO CASTILLO-VARGAS,

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MAURO ANGEL MARTINEZ,

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MONCADA REYES,

LEO RODRIGUEZ,

FRANCISCO JAVIER CHAPA,

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aka "LA KALAKA"

WILLIAM MOISES PARK,

aka "WILLIE"

HENRY GONZALEZ,

JESUS AGUSTIN ARIAS-CERDA,

aka "EL MOCHO"

JOEL HUGO ROBLES-PEREZ,

aka "EL BURRO"

ESUTOLIO GONZALEZ,

aka "TOLO"

that in the event of conviction of an offense in violation of Title 21, United States Code, Sections

841 or 846 as charged in Counts One, Two, Three, Four, Five, Six, Eight, Nine and Ten of the Indictment, the following is subject to forfeiture:

- (1) all property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such violation; and
- (2) all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation.

PROPERTY SUBJECT TO FORFEITURE

Defendants are notified that the property subject to forfeiture includes, but is not limited to: Approximately ONE-HUNDRED AND THIRTEEN MILLION (\$ 113,000,000.00) in United States currency

MONEY JUDGMENT

Defendants are notified that in the event of conviction, a money judgment may be imposed equal to the total value of the property subject to forfeiture, for which the defendants may be jointly and severally liable.

SUBSTITUTE ASSETS

Defendants are notified that in the event that property subject to forfeiture, as a result of any act or omission of defendants,

- (A) cannot be located upon the exercise of due diligence;
- (B) has been transferred or sold to, or deposited with, a third party;
- (C) has been placed beyond the jurisdiction of the court;
- (D) has been substantially diminished in value; or

(E) has been commingled with other property that cannot be divided without difficulty,

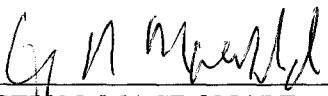
the United States will seek to forfeit any other property of the defendants up to the total value of the property subject to forfeiture pursuant to Title 21, United States Code, Section 853(p) and as incorporated by reference in Title 28, United States Code, Section 2461(c).

A TRUE BILL:

Original Signature on File


FOREMAN OF THE GRAND JURY

KENNETH MAGIDSON
UNITED STATES ATTORNEY


CASEY N. MACDONALD
Assistant United States Attorney